

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : 3:CR-09-306
:
v. : (Judge Munley)
:
CALVIN DRIVER : (Electronically Filed)

Trial Brief

a. Summary of Issues

Mr. Driver is charged in an Indictment with Conspiracy to assault another person, knowingly and intentionally assaulting another person with a dangerous weapon, knowingly and intentionally assaulting a Correctional Officer and knowingly possessing a prohibited object in the prison. The principal issue will be the decision on guilt.

b. Proposed Voir Dire Questions

Mr. Driver will submit Proposed Voir Dire Questions under a separate filing and reserves the right to supplement his inquiry during the court granted attorney conducted voir dire.

c. Proposed Jury Instructions

Mr. Driver will submit Proposed Jury Instructions for consideration under a separate filing.

d. Number of Witnesses

While a final decision has not been made, Mr. Driver would expect to call 1-3 witnesses during his presentation of his defense. He reserves the right to additional witnesses based on information covered by Jenks materials.

e. Trial Length

____ It is expected that the trial could be tried in 1-2 days depending on the Government's case in chief.

Respectfully submitted,

s/Hervey B. O. Young

Hervey B. O. Young

Assistant Federal Public Defender

Attorney ID# SC 7013

116 North Washington Avenue, Suite 2-C
Scranton, Pennsylvania 18503

(570) 343-6285

Fax: (570) 343-6225

E-mail: Hervey_Young@fd.org

June 22, 2010

CERTIFICATE OF SERVICE

I, Hervery B.O. Young, Assistant Federal Public Defender, do hereby certify that I electronically served, via e-mail, a copy of the foregoing **Trial Brief**, to the following:

John Gurganus
Assistant United States Attorney

by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Calvin Driver

s/Hervery B. O. Young

Hervery B. O. Young
Assistant Federal Public Defender

June 22, 2010